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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/651,329	08/28/2003	Jeff Hodson	6065-85071	7836
24628	7590	06/01/2007		
WELSH & KATZ, LTD 120 S RIVERSIDE PLAZA 22ND FLOOR CHICAGO, IL 60606			EXAMINER AL AUBAIDI, RASHA S	
			ART UNIT 2614	PAPER NUMBER
			MAIL DATE 06/01/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/651,329	HODSON ET AL.	
	Examiner	Art Unit	
	Rasha S. AL-Aubaidi	2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 August 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☒ Claim(s) 21-25 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

1. Independent claim 21 is objected to because it recites the term "adapted to", which is not considered a positive limitation. Appropriate correction is required.

Dependent claims 22-25 are objected for the same reasons addressed for independent claim 21.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1, 11 and 21 are rejected under 35 U.S.C. 102(e) as being anticipated by Beck (US PAT # 6,108,711).

Regarding claims 1-5, 11-15 and 21-23, Beck teaches a method of guiding a conversation taking place between a client (customer a and b as shown in Fig. 2) and an agent (agent a and b as shown in Fig. 2) through a communication system such as the network shown in Figs. 1-2), such method comprising: detecting an information content of the conversation (col. 4, lines 54-67); determining a goal of the client from the

Art Unit: 2614

detected information content (this simply reads on the what does the client desire. This limitation basically reads on type of the call); and suggesting a subject matter to the agent to guide the conversation towards the goal of the client (see col. 12, lines 18-21).

Regarding claims 2, 12 and 22, Beck teaches determining an identity of the client from the detected information content (see col. 1, lines 57-67).

Regarding claims 3-4, 13-14 and 23, Beck teaches retrieving contact information based upon the determined identity of the client (see col. 4, lines 65-67 and col. 2, lines 1-4).

Regarding claims 5 and 15, Beck teaches recognizing a voice content of a conversation between the client and the agent (see col. 7, lines 48-65).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein

were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. Claims 6-10, 16-20 and 24-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Beck et al. in view of Bohacek et al. (US PAT # 6,411,687).

Regarding claims 6 and 16, Beck does not specifically teach performing stress analysis on a voice of a client.

However, Bohacek teaches a speech recognition device that detects high stress or annoyed callers (see abstract of the invention and col. 1, lines 45-52).

Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the feature of analyzing and detecting the high stressed voice of a caller, as taught by Bohacek, into the system of Beck in order to provide an enhanced and efficient services to the callers by maintaining happier and satisfied clients/callers.

Regarding claims 7 and 17, Bohacek teaches measuring a voice pitch of the voice of the client (see col. 3, lines 55-59).

Regarding claims 8 and 18, Bohacek teaches measuring a word rate of the voice of the client (this preformed by word analyzer 44, see col. 3, lines 7-54 and Fig. 4).

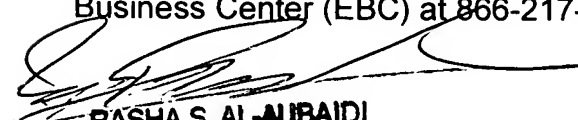
Claims 9-10, 19-20 and 24-25 recite displaying a text message on a terminal used by the agent. Beck teaches an agent work station that is equipped with a PC capable of handling different multimedia. Thus displaying the suggestion either by text or in the form of an audible message is obvious if not inherent in the Beck system.

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rasha S AL-Aubaidi whose telephone number is (571) 272-7481. The examiner can normally be reached on Monday-Friday from 8:30 am to 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar, can be reached on (571) 272-7488.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



RASHA S. AL-AUBAIDI
PATENT EXAMINER